

U.S. Appln. No. 09/869,254
Reply to Office Action dated October 12, 2005

PATENT
450101-02373

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 9, 33, 41-48, 57, 65, 66, and 76 are pending. Claims 34-40, 49-56, 58-64, and 67-75 are canceled without prejudice or disclaimer of subject matter. Claims 1 and 33, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claim 64, which was rejected under 35 U.S.C. §112, has been canceled without prejudice or disclaimer of subject matter, obviating the rejection.

III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1 and 33 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 5,917,990 to Zamara et al.

Claim 1 recites, *inter alia*:

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“...preparing an evaluation value of each of the shots or each of the scenes on the basis of the information provided corresponding to each of the shots or each of the scenes...

...wherein the information provided includes information relating to a presence/absence of a single or a plurality of video characteristic items...” (emphasis added)

As understood by Applicants, U.S. Patent No. 5,917,990 to Zamara et al.

(hereinafter, merely “Zamara”) relates to a process that allows precise control of the tape position in consumer videotape devices for the purpose of video editing. The process utilized software to locate a specific video frame within the digitized video. The process involves storing an initial set of calculated scene data, which include luminance and change in luminance values for each video frame. A second set of scene detection data is taken a reference point near the desired frame. The two values are compared and the videotape position is adjusted accordingly.

Applicants respectfully submit that nothing has been found in Zamara that would teach or suggest the above-identified feature of claim 1. Specifically, Applicants submit that Zamara fails to teach or suggest preparing an evaluation value of each of the shots or each of the scenes on the basis of the information provided corresponding to each of the shots or each of the scenes, wherein the information provided includes information relating to a presence/absence of a single or a plurality of video characteristic items. Applicants submit that the cited portions of Zamara, specifically col 3, lines 25-34 and lines 39-47, disclose the calculation of scene detect data from a single frame of video using an average frame luminance value.

Therefore, claim 1 is patentable.

For reasons similar to those described above, independent claim 33 is also believed to be patentable.

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IV. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 9, 41-48, and 57 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,917,990 to Zamara, et al. in view of U.S. Patent No. 5,995,095 to Ratakonda.

Claim 9 recites, *inter alia*:

"...wherein the first and second condition are set in accordance with a type of preview, the type of preview being selected from a plurality of types of previews, which are set for different purposes." (emphasis added)

As understood by Applicants, U.S. Patent No. 5,995,095 to Ratakonda (hereinafter merely "Ratakonda") relates to hierarchical digital video summarization and browsing that includes inputting a digital video signal for a digital video sequence and then generating a hierarchical summary based on keyframes of the video sequence.

Applicants respectfully submit that nothing has been found in Zamara or Ratakonda, taken alone or in combination, that would teach or suggest the above-identified features of claim 9. Applicants submit that the cited portions of Ratakonda, col. 3 lines 40-52 and col. 5, lines 48-55, relate to hierarchical multilevel summary of single frames. The cited portions of Ratakonda do not teach or suggest anything about conditions being set.

Specifically, Applicants submit that Zamara and Ratakonda fail to teach or suggest that the first and second condition are set in accordance with a type of preview, the type of preview being selected from a plurality of types of previews, which are set for different purposes.

Therefore, claim 9 is patentable.

For reasons similar to those described above, independent claims 41 and 57 are also believed to be patentable.

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Claims 65, 66, and 76 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,738,100 to Hampapur, et al. in view of U.S. Patent No. 5,995,095 to Ratakonda.

Claim 65 recites, *inter alia*:

"...wherein the selecting particular shots is performed using predetermined conditions associated with a type of preview, the type of preview being selected from a plurality of types of previews, which are set for different preview purposes."

As understood by Applicants, U.S. Patent No. 6,738,100 to Hampapur, et al. (hereinafter, merely "Hampapur") relates to processing video to extract a key-frame based adequate visual representation. A chromatic difference metric is extracted from a pair of video frames. An initial set of frames is chosen based the chromatic metric and a first threshold. A structural difference measurement is then extracted. A second threshold is used to select key frames from the initial set of frames. The output of this process is the visual representation.

Applicants respectfully submit that nothing has been found in Hampapur or Ratakonda, taken alone or in combination, that would teach or suggest the above-identified feature of claim 65. Applicants submit that the cited portions of Ratakonda, col. 3 lines 40-52 and col. 5, lines 48-55, relate to hierarchical multilevel summary of single frames. The cited portions of Ratakonda do not teach or suggest anything about using predetermined conditions associated with a type of preview to select particular shots.

Specifically, Applicants submit that Hampapur and Ratakonda fail to teach or suggest that the selecting particular shots is performed using predetermined conditions associated with a type of preview, the type of preview being selected from a plurality of types of previews, which are set for different preview purposes. Therefore, claim 65 is patentable.

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For reasons similar to those described above, independent claims 66 and 76 are also believed to be patentable.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

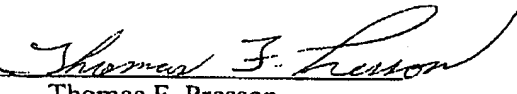
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Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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